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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,826	01/05/2004	Jung-Chiao Chang	3313-1089P	4055

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EXAMINER

GONZALEZ, ANGEL F

ART UNIT	PAPER NUMBER
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2609

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/25/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/25/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/750,826

Applicant(s)

CHANG ET AL.

Examiner

Angel F. Gonzalez

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01/05/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/05/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4, 5, 6, 7, 8, 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Sawada (U.S. Patent Number 7,142,238).

As to claim 1, Sawada (Fig. 7) discloses an image chromatism compensation method for adjusting image dispersion distances in all channels of an image captured by an image capturing device to achieve image chromatism compensation, the method comprising the steps of:

capturing (CCD) a reference mark image (correction board with ladder patterns) (see col. 3, lines 33-37);

obtaining (Table 1) an image dispersion distance (shift amount) between two reference marks in a predetermined channel (R,G,B) of the reference image (see col. 4, line 1-10);

computing (120) a image dispersion calibration ratio (see col. 5, lines 20-25);

and storing (16) the image dispersion calibration ratio (see col. 4, lines 22-30);

As to claim 4, Sawada discloses the method of claim 1, wherein the reference image contains at least two reference marks (ladder patterns corresponding to $n-1$, n , $n+1$) (see col. 3, lines 49-55).

As to claim 5, Sawada discloses the method of claim 1, wherein the reference image is obtained from a calibration sheet (correction board) with at least two reference marks (ladder pattern) (see col. 3, lines 13-20).

As to claim 6, Sawada discloses the method of claim 1, wherein the reference image is obtained from the calibration sheet with at least two reference marks in the image capturing device (see col. 3, lines 13-20).

As to claim 7, Sawada discloses the method of claim 1, wherein the predetermined channel is selected from the group consisting of an R channel, a G channel, and a B channel (e.g., center balance of R,G,B) (see col. 4, lines 1-18).

As to claim 8, Sawada discloses the method of claim 1, wherein the image dispersion calibration ratio is: $1: (\text{distance between the two reference marks in the predetermined channel})/(\text{distance between the two reference marks of first other channel}):(\text{distance between the two reference marks in the predetermined channel})/(\text{distance between the two reference marks of second other channel})$; wherein the distances are measured in units of pixels (see col. 3, line 49 through col. 4, line 17).

As to claim 9, Sawada discloses the method of claim 8, wherein the first other channel and the second other channel refer to the channels (e.g., shift amount for R,G,B) in the RGB channels that are different from the predetermined channel (e.g., center balance of R,G,B) (see col. 4, lines 1-18).

As to claim 10, Sawada discloses the method of claim 1 being carried out when the image capturing device powers on for calibration (see col. 6, lines 6-10).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject

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matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada in view of Abe (U.S. Patent No. 6,829,004).

As to claim 2, note the discussion of Sawada above, Sawada teaches an image pick up device for picking a manuscript image. Sawada does not explicitly teach wherein the image capturing device is a scanner.

Abe teaches a scanning system (Fig.1) for scanning an image formed on a film from various objects (see col. 3, lines 34-41). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to have provided the teaching of the scanning system as taught by Abe to the image pick up device of Sawada, so that images captured with the use of the image sensor can be scanned in quickly, thereby reducing the number of operation members to be provided by the scanner' (see col. 1, lines 38-43).

As to claim 3, Abe teaches an image pick up device, wherein the image capturing device is a digital camera (see col. 3, lines 34-41).

Conclusion

1. The prior art made of record and relied upon is considered pertinent to applicant's disclosure.

Kochi et al. (U.S. Publication Number: US 2005/0261849) is cited to teach an image calibration method.

Nabeshima et al.(U.S. Patent 6,587,224) is cited to teach chromatic aberration correction method.

Lewis, Jr. et al. (U.S. Patent 6,816,625) is cited to teach a distortion free image capture system and method.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel F. Gonzalez whose telephone number is 571-272-1702. The examiner can normally be reached on Monday - Friday, 07:30 - 5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on 571-272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Angel F. Gonzalez

04/13/07


CHANH D. NGUYEN
SUPERVISORY PATENT EXAMINER